

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Samuel Stefan Daisy,

Plaintiff,

v.

Case No. 1:11cv366

KAO Brands Company,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on June 21, 2012 (Doc. 23).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation (Doc. 23) have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 23) of the Magistrate Judge is hereby **ADOPTED**. Defendant's Motion to Dismiss (Doc. 18) is **GRANTED** dismissing this action with prejudice for failure to prosecute. Plaintiff's Motion to Dismiss (Doc. 22) without prejudice is **DENIED**. This matter is closed.

IT IS SO ORDERED.

S/Michael R. Barrett
Michael R. Barrett
United States District Judge